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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
070,503	8-28-79	Jean Y. Chenard, et al	F2614

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260 Madison Ave.
New York, N.Y. 10016

EXAMINER	
V. Hoke	
ART UNIT	PAPER NUMBER
143	4

DATE MAILED: **MAILED**

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

JUL - 8 1980

GROUP 140

☐ This application has been examined. ☒ Responsive to communication filed on 4-16-80 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☐ Notice of References Cited, Form PTO-892.
- ☐ Notice of Informal Patent Drawing, PTO-948.
- ☐ Notice of Informal Patent Application, Form PTO-152.
- ☐ _____

Part II SUMMARY OF ACTION

- ☒ Claims 14 to 28 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
- ☐ Claims _____ have been cancelled.
- ☐ Claims _____ are allowed.
- ☒ Claims 14 to 28 are rejected.
- ☐ Claims _____ are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.
- ☐ The formal drawings filed on _____ are acceptable.
- ☐ The drawing correction request filed on _____ has been ☐ approved. ☐ disapproved.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has
☐ been received. ☐ not been received. ☐ been filed in parent application, serial no. _____
filed on _____.
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- ☐ Other

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12. Claims 14 to 18, 21 to 24 and 26 to 28 are rejected as fully met by Gough under 35 USC 102(b). An organotin borate, which compound reads on applicants "metal containing stabilizer" recitation is utilized with a mono- or di-carboxylic acid ester wherein the alcohol derived portion is an omega mercapto substituted alkanol such as 2-mercapto ethanol. The compound 2-thioethyl octanoate, $C_7H_{15}COOCH_2CH_2-SH$; bis (2-mercapto ethyl) terephthalate, $\phi-(COOC_2H_4SH)_2$ and mono(2-mercapto ethyl adipate) $HOOC_4H_8COOC_2H_4-SH$, disclosed at col. 8, line 64 and col. 9, lines 11 and 12, respectively, are representative. The conjoint use of calcium stearate is disclosed via example 7 in col. 12 as is the optional use of conventional organotin mercapto carboxylic acid esters in col. 10, line 9 to 11. These stipulations appear in claims 25 to 28.

Contrary to applicant's assertion applicant's metal-containing stabilizer recitation does not distinguish from reference's organotin borate since the former class is generic thereto. As to the claims reciting calcium stearate and conventional organotin thiocarboxylate, as stated supra, even these modifications are within Gonglis purview.

13. Claims 14 to 28 are rejected as obvious over Gough under 35 USC 103. References mono- and di- carboxylic

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acid esters having a mercapto, -SH, group in the alcohol-derived portion by virtue of the specification's disclosure of 3 diversely structured species within the instant genus and the broad definition of K from which the organic acid evolves, relate that the longer chain fatty acid esters would be obvious homologous carboxylic acid ester selections.

This Rejection is made FINAL.

V.P. Hoke
U.S. PAT. & TM. OFF.
WASHINGTON, D.C. 20540
JUN 10 1980

V. Hoke/scg

703-557-3804

6-27-80